

Motion GRANTED.

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA )  
v. ) NO. 3:09-cr-00094-1  
BRIAN MARCELLE RHODES ) JUDGE TRAUGER  
 )

**UNOPPOSED MOTION TO CONTINUE TRIAL  
AND TO EXTEND PRETRIAL DEADLINES**

Defendant Brian Rhodes, through counsel, and without opposition from the government, moves the Court to continue the trial in this matter from October 8, 2013 to a date after February 1, 2014, appropriate to the Court's calendar and to extend all related pretrial deadlines. In support of this motion defendant relies upon declaration of counsel, attached hereto filed under seal, and would show:

1. Defendant is currently scheduled for trial on October 8, 2013 at 9:00 a.m. (Docket No. 292). Representation in this matter began on March 31, 2009 (Docket No. 46). Defendant is indigent.
2. The parties are continuing to work towards a resolution to avoid trial in this matter, but additional time is needed to complete this task.
3. Additionally, defendant's counsel also has federal criminal jury trials scheduled as follows: November 12, 2013, *United States v. Nickless Whitson*; December 17, 2013, *United States v. Joshua Granderson*; January 14, 2014, *United States v. Kevin Brame*; and January 28, 2014, *United States v. Dwayne Bellini*. Three of the above listed defendants are incarcerated,